

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

RICHARD TETTAMBLE,

Plaintiff(s),

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant(s).

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Case No. 4:07CV329 JCH

**ORDER**

This matter is before the Court on Plaintiff Richard Tettamble's Motion for Attorney's Fees, pursuant to the Equal Access to Justice Act ("EAJA"), filed June 10, 2008. (Doc. No. 18). In his motion, Plaintiff requests an award of attorney fees in the amount of \$2,332.00, made payable to Gateway Legal Services, Inc. In support of Plaintiff's request, Plaintiff submitted an itemized statement of time spent by his attorney in the proceeding before the Court. See Plaintiff's Exhibit 1. (Doc. No. 18-2).

By Order, dated March 12, 2008, this Court remanded this case to Defendant Commissioner for further proceedings, pursuant to sentence four of 42 U.S.C. § 405(g). Plaintiff has presented a valid assignment of attorney's fees to his attorneys, Gateway Legal Services, Inc.

Defendant objected to Plaintiff's request because it opposed direct payment of the fee to Plaintiff's attorneys, Gateway Legal Services, Inc.. (Doc. No. 19). The Eighth Circuit has determined that attorney's fees can be awarded to the parties' attorney under the EAJA pursuant to a valid fee assignment. Ratliff v. Astrue, 540 F.3d 800, 801 (8th Cir. 2008).

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Attorney's Fees pursuant to the Equal Access to Justice Act (Doc. No. 18) is **GRANTED**.

**IT IS FURTHER ORDERED** that Defendant Commissioner of Social Security shall pay EAJA attorney fees in the amount of \$2,332.00, and that the award shall be made payable to Gateway Legal Services, Inc.

Dated this 29th day of May, 2009.

/s/ Jean C . Hamilton

UNITED STATES DISTRICT JUDGE